

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

VALERIE J. DANIELL

vs.

RITA H. MOHSIN, ET AL.

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CASE NO. 2:07-CV-438

**ORDER**

Pending before the court is the defendant Federation of State Medical Boards of the United States, Inc.'s ("Federation") motion to transfer venue (Dkt. No. 25). The court grants the motion and orders the case transferred to the United States District Court for the Northern District of Texas.

This is a negligence case. On January 21, 2007, the plaintiff boarded American Airlines Flight 654 out of the Dallas-Fort Worth International Airport en route to Boston, Massachusetts. The plaintiff asserts that she was in her seat as the defendant, Rita Mohsin, ("Mohsin") boarded the plane. Mohsin attempted to store her luggage in the overhead compartment directly above the plaintiff's head. The plaintiff asserts that Mohsin did so in a negligent manner causing the luggage to fall on the plaintiff's head. The plaintiff seeks damages related to the injuries suffered in the accident.

The Court having considered the venue motion and the evidence finds the motion to transfer venue to the United States District Court for the Northern District of Texas (Dkt. No. 25) should be granted pursuant to *In re Volkswagen of America, Inc.*, 545 F.3d 304 (5th Cir. 2008). *See also In re Toyota Motor Corporation, et al.*, No. 08-41323 (5th Cir. 2008) (ordering transfer of a products liability case from the Marshall Division to the Sherman Division). The incident in question occurred at the Dallas-Fort Worth International Airport; the plaintiff is a resident of

Flower Mound, Texas; and the Federation's principal place of business is located in the Dallas-Fort Worth area.

In light of the transfer of venue, the court suspends any and all pending deadlines as indicated in the Docket Control Order. Likewise, the Court suspends any deadline under the Local Rules for responding to pending motions. Finally, all pending motions are deferred to the transferee court.

SIGNED this 9th day of March, 2009.



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CHARLES EVERINGHAM IV  
UNITED STATES MAGISTRATE JUDGE